

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 20 through 98 are pending, with Claims 20, 36, 37, 48, 72, 73, 84, 88, and 93 being independent. Claims 20 and 72 have been amended. Claims 94 through 98 have been added.

Applicant wishes to thank the Examiner for the courtesies extended in granting and conducting on April 20, 2007, a telephonic interview with Applicant's representative. At the interview, Applicant's representative and the Examiner discussed the outstanding rejections under 35 U.S.C. § 101 and obviousness-type double patenting, which are respectfully traversed, as well as proposed amendments to the claims. Also, during the interview, the Examiner kindly confirmed that the substitute specification has been entered.

Applicant understands that the Examiner is in tentative agreement that (a) the proposed amendments to Claims 22 and 72 would avoid the grounds of rejection under 35 U.S.C. § 101 since the claims would recite an --apparatus-- (of course, software could be used in an apparatus), and (b) the rejections of Claims 37, 48, 84, 88, and 93 might be withdrawn since those claims do not, as suggested in the Official Action, use "means-plus-function" recitations. As discussed at the interview, Applicant respectfully submits that the claims are limited to a practical application in the technological arts. MPEP 2106. Applicant respectfully submits that the claimed invention is not a natural phenomenon, abstract idea, law of nature, "descriptive material", or "mere manipulation of abstract ideas", but is a tangible form of matter that effects a practical result and therefore is statutory. Id.

As discussed at the interview, Applicant respectfully submits that the obviousness-type double patenting rejection over US 6,701,370 B1 has been traversed by the filing herewith of a Terminal Disclaimer. Favorable consideration is earnestly solicited.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

REQUEST FOR INTERVIEW

If any questions remain, Applicant respectfully requests that the Examiner contact Applicant's undersigned representative at (202) 530-1010 to schedule another interview.

CONCLUSION

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached at (202) 530-1010.

Respectfully submitted,

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